

Public Chapter 542

HOUSE BILL NO. 1835

By Representatives Cross, Bittle, Rhinehart

Substituted for: Senate Bill No. 1823

By Senators Gilbert, Burks

AN ACT to amend Tennessee Code Annotated, Section 11-14-401; Section 11-14-406 and Section 67-4-409(g), of the U.A. Moore Wetlands Acquisition Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Subsection (b)(2) of Tennessee Code Annotated, Section 11-14-401 is amended, first, by deleting from the first sentence, the words and punctuation "including adjacent tracts of land," and by substituting instead, the words and punctuation "and lands which are capable of supporting hydrophytes or bottomland hardwood forests of a composition normally occurring in that area of the state, including adjacent tracts of land and tracts of land which are significant for the protection of wetlands and bottomland hardwood forests, the"; and, second, by deleting from the last sentence, the words, punctuation and numbers "in part 517 of the United States Department of Agriculture's National Food Security Act Manual, August 1988" and by substituting instead, the words, punctuation and numbers "by the United States Department of Agriculture within the Food Security Act of 1985, and amendments thereto".

SECTION 2. Tennessee Code Annotated, Section 11-14-401 is further amended by adding a new subsection designated as "(d)" which shall read as follows:

(d) Notwithstanding the provisions of this part, Section 67-4-409 or any other law to the contrary, the Director of the Wildlife Resources Agency is authorized to make expenditures from the 1986 wetland acquisition fund for the purpose of assisting in the acquisition of certain uplands and canyon which are located within White, Cumberland and Van Buren counties and are known as "Scott's Gulf". Nothing in this subsection shall be construed to obligate the Wildlife Resources Agency to fully fund the purchase of this real property either from the 1986 wetland acquisition fund or from any other state fund under the control of the agency.

SECTION 3. Subsection (b) of Tennessee Code Annotated, Section 11-14-406 is amended, first, by adding the sentence "Each subsequent yearly reimbursement amount shall be based on the same assessed value, tax rate and use in effect on the date of purchase." between the word and punctuation "jurisdiction." and the word "The", and second, by deleting the language and punctuation "make such payments on a proportional basis." at the end of the last sentence and by substituting instead the language "effect a transfer of funds from the 1986 Wetland Acquisition Fund to the compensation fund in an amount sufficient to fully reimburse the affected cities and counties. Funds transferred from the 1986 Wetland Acquisition Fund to the compensation fund along with interest, if any, accruing on such funds after their transfer to the compensation fund, shall be expended to reimburse affected cities and counties only for

lands purchased under the U.A. Moore Wetlands Acquisition Act. If there is an amount owing on the effective date of this act, to a city or a county for a reimbursement, due to insufficient funds having been available in the compensation fund, such amount owing shall be paid to the affected city or county under the terms of this part.”

SECTION 4. Subsection (g) of Tennessee Code Annotated, Section 67-4-409 is amended by deleting the words “Interest accruing on investments and deposits of the” from the third sentence and by substituting instead, the word “The”.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.